

# TERRENI

## LAW FIRM, LLC

CHARLES L.A. TERRENI  
ATTORNEY AT LAW

1508 LADY STREET  
COLUMBIA, SOUTH CAROLINA 29201  
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WWW.TERRENILAW.COM

March 23, 2021

The Honorable Jocelyn G. Boyd  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Re: Docket No. 2020-225-WS - Joint Application for Approval of the Sale of Assets and Transfer of Facilities, Territory, and Certificate of Public Convenience and Necessity from CUC, Incorporated to South Carolina Water Utilities-CUC, Incorporated.

Dear Ms. Boyd:

Pursuant to Order No. 2021-93 in the above referenced docket, I am filing copies of the enclosed performance bonds, each in the amount of \$350,000 on behalf South Carolina Water Utilities-CUC, Incorporated. I am also mailing the originals to the Commission.

With best wishes, I am,

Sincerely yours,

*s/ Charlie Terreni*

Charles L.A. Terreni

Enclosures (2)

c: Ms. Becky Dennis  
Counsel of record

Bond No. \_\_\_\_\_

**PERFORMANCE BOND****(SEWER UTILITIES)**

**KNOW ALL MEN BY THESE PRESENTS, that** South Carolina Water Utilities – CUC, Inc. **being**  
**duly qualified to do business in the State of South Carolina, designated as “principal”, and that**  
Atlantic Specialty Insurance Company, **designated as “surety”/“sureties” is/are held and firmly bound unto the**  
**Public Service Commission of South Carolina, designated as “obligee”, in the penal sum of**  
\$350,000.00 <sup>[Three Hundred  
Fifty Thousand  
and 00/100]</sup>, **for the payment of which well and truly to be made, the principal binds itself, its**  
**successors and assigns, and the surety/sureties bind themselves, their personal representatives, and their**  
**assigns, jointly and severally, firmly by these presents.**

**WHEREAS, in accordance with the provisions of S. C. Code Ann., §58-5-720 (1976, as amended),**  
**which requires the principal to furnish a bond with sufficient surety, to the satisfaction of the obligee,**  
**conditioned as provided in said §58-5-720, and**

**WHEREAS, the obligee has granted the principal a Certificate of Public Convenience and**  
**Necessity and approved a schedule of rates for sewer service in areas shown on operating maps filed**  
**with the obligee, and**

**WHEREAS, this bond, when approved by the obligee, conditioned as in said §58-5-720, is to**  
**cover any and all liability which may arise as a result of the principal failing to provide adequate and**  
**sufficient service within its service area as prescribed in §58-5-720, and**

Sewer Utilities  
Page 2

WHEREAS, the obligee, upon notice and hearing, shall have the right to declare all or any part of the bond forfeited upon a determination by the obligee that the principal shall have willfully failed to provide such service as prescribed above, without just cause or excuse, and that such failure has continued for an unreasonable length of time, and

WHEREAS, the liability under the terms of this bond is hereby extended so as to include any fines or penalties imposed or assessed by the obligee against the principal under the provisions of S.C. Code Ann. §58-5-710 (1976 as amended), and

WHEREAS, in the event that any judicial action or proceedings are initiated with respect to this bond, the parties hereby agree that the venue thereof shall be Richland County, State of South Carolina, and

WHEREAS, the surety/sureties undertake(s) this obligation for and in consideration of the principal being able to continue to operate a sewer utility providing service to the public for compensation under the jurisdiction of the obligee, and

WHEREAS, this bond shall become effective on the date executed by the principal and surety/sureties, and shall continue from year to year unless the obligations of the principal and surety/sureties under this bond are expressly released by the obligee in writing, and

Sewer Utilities  
Page 3

WHEREAS, the obligee upon notice and opportunity to the principal and surety/sureties to be heard, may order that the face amount of this bond to be changed within the limits set forth in S. C. Code Ann., §58-5-720 (1976 as amended).

NOW THEREFORE, in testimony whereof, said principal has hereunto subscribed its name and said principal has caused this instrument to be signed by its duly authorized officers, and its corporate seal to hereunto affixed this 13<sup>th</sup> day of March, 2021; and that said surety/sureties have caused this instrument to be signed this 4th day of March, 2021.

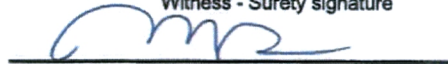
**SURETY/SURETIES:**

Atlantic Specialty Insurance Company

  
Signature Aaron P. Clark, Attorney-In-Fact

**IN THE PRESENCE OF:**

  
Witness # 1 Autumn Stockton  
Witness - Surety signature

  
Witness # 2 Nick Patetta  
Witness - Surety signature

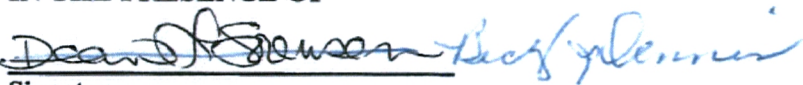
South Carolina Water Utilities – CUC, Inc.


Company

By 

Title

**IN THE PRESENCE OF**

  
Signature

  
Witness # 1

  
Witness # 2

## ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF SOUTH CAROLINA

COUNTY OF CharlestonOn March 13, 2021, Craig Sorensen came

before me personally, to me known, and who being by me duly sworn, did depose and state; that he is the President of South Carolina Water Utilities Inc. the Corporation which executed the foregoing instrument; that he knows the seal of said Corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said Corporation, and that he signed his name to said instrument by like order.

SWORN to before me this

13<sup>th</sup> day of March, 2021Becky J. Dennis (L. S.)  
Notary Public

My Commission Expires:

May 12, 2030

(Affix seal if not South Carolina Notary Public)

Bond No. \_\_\_\_\_

**PERFORMANCE BOND**  
(WATER UTILITIES)

KNOW ALL MEN BY THESE PRESENTS, that South Carolina Water Utilities – CUC, Inc. being duly qualified to do business in the State of South Carolina, designated as “principal,” and that Atlantic Specialty Insurance Company, designated as “surety”/“sureties” is/are held and firmly bound unto the Public Service Commission of South Carolina, designated as “obligee,” in the penal sum of \$350,000.00 <sup>(Three Hundred Fifty Thousand and 00/100)</sup> for the payment of which well and truly to be made, the principal binds itself, its successors and assigns, and the surety/sureties bind themselves, their personal representatives, and their assigns, jointly and severally, firmly by these presents.

WHEREAS, in accordance with the provisions of S.C. Code Ann., §58-5-720 (1976, as amended), which requires the principal to furnish a bond with sufficient surety, to the satisfaction of the obligee, conditioned as provided in said §58-5-720, and

WHEREAS, the obligee has granted the principal a Certificate of Public Convenience and Necessity and approved a schedule of rates for water service in areas shown on operating maps filed with the obligee, and

WHEREAS, this bond, when approved by the obligee, conditioned as in said §58-5-720, are to cover any and all liability which may arise as a result of the principal failing to provide adequate and sufficient service within its service area as prescribed in §58-5-720, and

WHEREAS, the obligee, upon notice and hearing, shall have the right to declare all or any part of the bond forfeited upon a determination by the obligee that the principal shall have willfully failed to provide such service as prescribed above, without just cause or excuse, and that such failure has continued for an unreasonable length of time, and

WHEREAS, the liability under the terms of this bond are hereby extended so as to include any fines or penalties imposed or assessed by the obligee against the principal under the provisions of S.C. Code Ann. §58-5-710 (1976 as amended) and

WHEREAS, in the event that any judicial action or proceedings are initiated with respect to this bond, the parties hereby agree that the venue thereof shall be Richland County, State of South Carolina, and

WHEREAS, the surety/sureties undertake(s) this obligation for and in consideration of the principal being able to continue to operate a water utility providing service to the public for compensation under the jurisdiction of the obligee, and

WHEREAS, this bond shall become effective on the date executed by the principal, and surety/sureties, and shall continue from year to year unless the obligations of the principal and surety/sureties under this bond is expressly released by the obligee in writing, and



**Water Utilities**  
**Page 3**

WHEREAS, the obligee upon notice and opportunity to the principal to be heard, may order that the face amount of this bond to be changed within the limits set forth in S.C. Code Ann. §58-5-720 (1976 as amended).

NOW THEREFORE, in testimony whereof, said principal has hereunto subscribed its name and said principal has caused this instrument to be signed by its duly authorized officers and its corporate seal to hereunto affixed this 13<sup>th</sup> day of March 20 21; and that said surety/sureties have caused this instrument to be signed this 4<sup>th</sup> day of March 20 21.

**SURETY/SURETIES:**

Atlantic Specialty Insurance Company

  
**Signature** Aaron P. Clark, Attorney-In-Fact

South Carolina Water Utilities – CUC, Inc.

**Company**

**IN THE PRESENCE OF:**

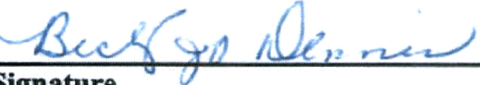
  
**Witness # 1:** Autumn Stockton  
 Witness - Surety signature

  
**Witness # 2** Nick Patetta  
 Witness - Surety signature

  
**By**

PRESIDENT  
**Title**

**IN THE PRESENCE OF:**

  
**Signature**

  
**Witness # 1:**

  
**Witness # 2**



## ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF SOUTH CAROLINA

COUNTY OF Charleston

On March 13, 2021, Craig Sorensen came before me personally, to me known, and who being by me duly sworn, did depose and state; that he is the President of South Carolina Water Utilities - Inc, the Corporation which executed the foregoing instrument; that he knows the seal of said Corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said Corporation, and that he signed his name to said instrument by like order.

SWORN to before me this

13<sup>th</sup> day of March, 2021
Beverly G. Denmark (L.S.)  
 Notary Public

My Commission Expires:

May 12, 2030

(Affix seal if not South Carolina Notary Public)



## Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Robert F. Bobo, Florence McClellan, Kristin Darling, Autumn Stockton, Aaron P. Clark, Rachel Richardson, Nick Patetta, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: unlimited and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

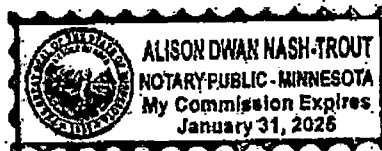
IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.



By *Paul J. Brehm*  
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA  
HENNEPIN COUNTY

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



*Alison Nash-Trout*  
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed: Dated 4th day of March, 2021

This Power of Attorney expires  
January 31, 2025



*Kara Barrow*  
Kara Barrow, Secretary